



Docket No. 06029USA
(MHM File No. 13182US01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION OF:

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John G. Langan
Dao-Hong Zheng
John Irven and
Benjamin L. Hertzler

SERIAL NO.: 09/641,933

FILED: August 18, 2000

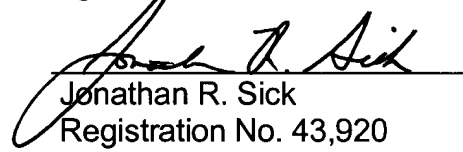
FOR: Sub-Atmospheric Gas Delivery
Method and Apparatus

EXAMINER: Walton, G.L.

GROUP ART UNIT: 3753

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with United States Postal Service on **September 5, 2002**, in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL649153666US


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RESPONSE TO THE JULY 2, 2002 OFFICE ACTION

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Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicants submit the following response to the July 2, 2002 Office Action (Paper No.11) issued in the pending U.S. Application Serial No. 09/641,933. This response is timely because it is filed within the 3-Month shortened period for response.

Interview Summary and Remarks

The undersigned attorney thanks Examiner Walton for participating in several brief telephonic interviews with the undersigned attorney during the week of July 29, 2002.

Claims 1-39 are pending in the above-identified application. Claims 1-39 were rejected over EP 0916891 A2 (Zheng et al.) in a first Office Action dated October 4, 2001 (Paper No. 5) and the identical rejection was renewed in a second Office Action dated July 2, 2002 (Paper No. 11).

In response to the first Office Action, Applicants submitted a claim for priority to U.S. Patent Application Serial No. 09/189,562, now Patent No. 6,314,986 B1, which is the U.S. counterpart of, and contains the same specification as, the cited EP 0916891 A2 (Zheng et al.) reference. Applicants submitted an unexecuted declaration containing this claim for priority, because Applicants were awaiting signatures from some of the inventors who reside outside of the United States.

During the above-mentioned interviews, the Examiner agreed to withdraw the rejection of claims 1-39 over EP 0916891 A2 (Zheng et al.), applied in the first and second Office Actions, if the Applicants submitted an executed declaration containing Applicants' priority claim. In accordance with this agreement, Applicants submit with this response the original executed declaration containing Applicants' priority claim. Applicants' request that prior amendment to the specification concerning "Cross-Reference to Related Applications" requested in Applicants' March 4, 2002 response (referred to as the April 5, 2002 response by the Examiner) be entered.


Upon entry of the requested amendment, Applicants respectfully submit that the claims 1-39 are now in a condition for allowance.

Examiner Walton is invited to telephone applicants' undersigned attorney at (312) 775-8196 or (312) 775-8000, if any unresolved matters remain.

No fee is believed necessary for this filing. If any additional fees may be required, the Commissioner is authorized to charge any such additional fees to Deposit Account No. 13-0017.

Dated: September 5, 2002

Respectfully submitted,


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